

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

FREDDIE WILLIS,

Plaintiff,

vs.

CITY OF OMAHA,

Defendant.

8:19CV211

ORDER

This matter is before the Court on the Motion to Withdraw as Counsel (Filing No. 12) filed by Jeffrey P. Welch and the law firm of Marks Clare & Richards, LLC, counsel of record for Plaintiff, Freddie Willis. Plaintiff's counsel seeks to withdraw due to a breakdown in the attorney-client relationship and has attached a certificate of service indicating that Plaintiff was served with a copy of this motion. Defense counsel does not oppose the motion. Upon review, the Court finds the motion should be granted. Accordingly,

IT IS ORDERED:

1. The Motion to Withdraw as Counsel (Filing No. 12) filed by Jeffrey P. Welch and the law firm of Marks Clare & Richards, LLC, is granted.
2. Jeffrey P. Welch shall immediately serve a copy of this Order on Plaintiff and thereafter file proof of service showing compliance with this Order, listing the name and address of the person to whom notice was sent. Jeffrey P. Welch and the law firm of Marks Clare & Richards, LLC, **will not be relieved of applicable duties to the Court, Plaintiff, and opposing counsel until proof of service is filed.**
3. Upon filing of proof of service pursuant to Paragraph 2 of this Order, Plaintiff will be deemed to be proceeding *pro se*, that is, without the assistance of counsel, unless substitute counsel enters a written appearance on her behalf. If substitute counsel does not enter a written appearance, Plaintiff shall provide the Clerk of Court her current address and telephone number **within five days of being served with this Order.**
4. Plaintiff may retain substitute counsel at any time. However, until such time as substitute counsel enters a written appearance, Plaintiff must comply with all case progression deadlines, orders of this Court, the Federal Rules of Civil Procedure, and the Local Rules of Practice. Failure to comply with these requirements may result in the imposition of sanctions, including payment of costs, attorneys' fees, and/or dismissal of the case.

5. Upon submission of proof of service as described in Paragraph 2 of this Order, Jeffrey P. Welch and the law firm of Marks Clare & Richards, LLC's appearance as counsel of record for Plaintiff will be terminated, and the Clerk of Court shall terminate electronic notice to them in this case.

Dated this 17th day of October, 2019.

BY THE COURT:

s./Michael D. Nelson
United States Magistrate Judge